

The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

Paper No. 33

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte BARRY APPELMAN

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Appeal No. 2002-0366  
Application 08/803,692

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ORDER VACATING ORAL HEARING  
AND ORDER REMANDING TO EXAMINER

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The Oral Hearing scheduled for February 19, 2002, at 9:00 a.m., 1225 Jefferson Davis Highway, Crystal Gateway 2, Arlington, VA 22202, has been vacated without prejudice.

A Supplemental Information Disclosure Statement (IDS) with an amendment was filed January 28, 2003, (Paper No. 32), and has been matched with this application at the Board of Patent Appeals and Interferences. The IDS needs to be considered by the Examiner with respect to compliance with the criteria set forth in 37 CFR §§ 1.97 and 1.98. The Amendment C also needs to be

Appeal No. 2000-1427  
Application 08/786,756

considered as to whether it is to be entered. A communication to the applicant of the Examiner's decision is required.

Accordingly, it is

ORDERED that the application is remanded to the Examiner for such consideration of the IDS and the Amendment C, appropriate notification to the applicant, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: \_\_\_\_\_  
CRAIG R. FEINBERG  
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